

April 12, 2002

TO: Recipients of Legislative Memos  
FROM: David A. Vogler, Legal Counsel  
SUBJECT: Legislative Memo #10 for the 2002 Session

This week's legislative work was almost entirely consumed by the budget situation. On Monday the Legislature debated LB 1085, the revenue bill which increases the sales tax, broadens the sales tax base, rolls back the income tax relief passed in 1998 and increases the cigarette tax. The sales tax increase and income tax increase are planned to be in effect for only one year, the cigarette tax increase for two years, and the sales tax base broadening would be permanent. The bill was advanced to final reading later that day. On Wednesday the Legislature passed the bill by a vote of 29-19-1 and forwarded it to the Governor who vetoed it immediately and sent it back to the Senators. Thursday morning the Legislature successfully overrode the veto by the slimmest possible margin, 30-19.

On the appropriation side of the equation, the Governor line item vetoed another \$74 million from the appropriations to state agencies (LB 1309) in his effort to balance the budget without raising additional revenue. The Legislature first attempted to override almost every one of the line item vetoes without success on Tuesday. After an overnight negotiation session, they came back on Wednesday and restored approximately \$43 million by overriding certain items. For the Department of Natural Resources the final figures from LB 1309 reveal:

- An additional reduction of \$672,206 from the Soil and Water Conservation Fund
- A reduction of \$475,000 from the Republican River Litigation effort
- A \$195,000 reduction in agency operations

These are in addition to all previous cuts that have been taken through the Special Session and this Session.

Of note to the NRDs, in addition to the cuts that have occurred in the programs administered by the Department, the final version of LB 1309 includes a reduction in aid to NRDs from the Treasurer's office of \$391,194.

Regarding the Water Policy Task Force (former LB 1023), now in LB 1003, it will be up for final reading on Tuesday, April 16. Both the bill and the "A" bill, which provides the funding for the task force will be voted on. I expect it will pass easily.

Next Friday, the 19<sup>th</sup>, is the last day of the session. I will prepare a memo summarizing the significant natural resource related events of the session.

lg  
Enclosure

**LEGISLATIVE MEMO #10**  
**STATUS REPORT – 2002 SESSION**

**NOTE: Changes from the last memo are shown in bold.**

<b>LB #</b>	<b>Subject</b>	<b>Committee/ Hearing Info.</b>	<b>Applicable Legis. Memo(s)</b>	<b>Status (e-date)</b>
57	Sales tax/public records		1	<b>P</b>
120	Ag land values		1	IP
121e	Base limitation/lid		1	IP
161	Poli. Sub. Tort claims		1	G
259	Counties/Occ. Tax/vacate roads?		1	AG(2-27)
290	Ag land at 50%		1	IP
301	Eng. & Arch. Act/triggers	HHS/2-8;1:30	1	G
355	Poli. Sub. Tort Claims/2 years		1	G
404	State Water Task Force		1	G
447	NRDs/Counties/Close Roads		1	IP
458	Water Well Board Report		1,2,4,5	AG(3-18)
504	Approp. for NREF		1	C
568ePB	Budget date/e-filing		1	AG(2-27)
600PB	Ag land/net earning value		1	S
628	State 404 program		1	IP
632	NGPC/# of members		1	IP
634	DOA fees/NREF		1	G
635	Approp. for NREF #2		1	C
636	Nat. Heritage Plates		1	C
708	Lottery/Env. Trust 14.5%		1	IP
709	NRD/Em. dom./rec. use		1	C
731	Vacancies/elected boards		1	IP
758PB&A	Fertilizer fee/excess/UNL		1	G
763	Storage/dams/LWCF		1,2	G
764	Stormwater/assess areas		1	IP
777	Amends to Nebr. NG-ESCA		1	G
778	NGPC/confidentiality		1	G
785	Railroad/Em. dom./DNR		1	C
791PB	Lottery/18% to funds		1	G
813e	Public facility financing		1	C
837e	DNR hearings/NRD/county		1	IP
889	Well Stand./Contractor's Lic.	N.R./1-23;1:30	2,5	IP
890	Well Regis. Fee Structure	N.R./1-23;1:30	2,5,7	G
891	ET Admin. Structure	N.R./1-25;1:30	2	G
903	Interstate Compact Sunshine Act	Gov./1-31;1:30	2	IP

Code: \* (unofficial); (e) emergency clause; (CA) constitutional amendment; (C) in committee; (G) General File; (S) Select File; (F) Final Reading; (P) Passed; (AG) Approved by Governor; (IP) Indefinitely Postponed; (V) Vetoes; (LV) Line item veto of appropriation; (LWG) Became law w/o Governor's signature; (POV) Passed over Governor's Veto; (W) Withdrawn; (PB) Priority Bill; (A) includes appropriation bill; (PR) Priority Resolution

936	Authorize Drainage Programs	N.R./2-7;1:30	2,5,7	G
937	NE Soil & Water Cons. Fund	N.R./1-23;1:30	2,5	IP
938	NE Soil & Water Cons. Fund	N.R./1-23;1:30	2,5,7,9	IP
940	Enforce. of Well Regis. Statutes	N.R./2-13;1:30	2,5	G
941	Misc. Department Fees	N.R./1-31;1:30	2,4,5	IP
1003	Water Policy Task Force, etc.		9	F
1023PB	Water Policy Task Force	N.R./1-24;1:30	2,5,7,9	G
1026	Adopt Water Rights Leasing Act	N.R./2-7;1:30	2	C
1066	Violations/Cease & Desist Orders	N.R./2-13;1:30	2,5	G
1161	Water Suppliers Pay Coun. Serv.	U.A./1-29;1:30	3,5	IP
1219	Approp. Funds to NRC	App./2-13;1:30	3,5	C
1230	MUDs/Retail Water & Gas Sales	U.A./2-5;1:30	3,5	IP
1272	Env. Resp. Cont. Fund/Lottery	N.R./2-20;1:30	3,5	IP
1288	Niobrara Council Powers	N.R./2-7;1:30	3,5	IP
1291	Scrap Tire Grant Trust/ET	N.R./2-13;1:30	3	IP